



**ORIGINAL CONTRACTOR'S AFFIDAVIT
OF CLAIM FOR CONSTITUTIONAL MECHANIC'S LIEN**

STATE OF TEXAS

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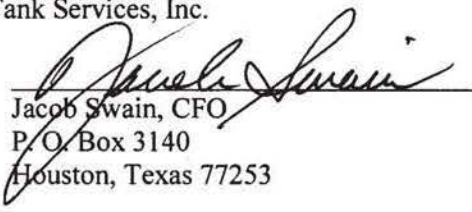
COUNTY OF SAN PATRICIO

BEFORE ME, the undersigned authority, on this day personally appeared Jacob Swain, who, upon oath after being duly sworn, stated the following:

1. My name is Jacob Swain, and I am the Chief Financial Officer of BBB Tank Services, Inc. (hereinafter referred to as "Claimant"). I have personal knowledge of the facts set forth below and am competent and authorized to make this affidavit. The facts contained herein are true and correct.
2. Claimant's mailing address is 162 Independence Parkway North, Baytown, Texas 77520.
3. Claimant's physical address is 162 Independence Parkway North, Baytown, Texas 77520.
4. Pursuant to contracts by and between Claimant and Lazarus Texas Refinery I, LLC, who is the owner or reputed owner of the real property sought to be charged with a lien, and whose last known address is 801 Travis St., Ste. 2100, Houston, TX 77002 (hereinafter sometimes referred to as "Owner"), Claimant furnished materials and services to improve the below described real property sought to be charged with a lien. The materials and services furnished by Claimant are generally described as follows: service and repair to certain tanks on the Property.
5. Claimant acted as the original contractor to Owner.
6. The real property and any improvements thereon (collectively the "Property") sought to be charged with a lien by Claimant is commonly known as the Falcon Refinery located at 1473 FM 2725, Ingleside, Texas 78362, and is more specifically described as follows: See Attached Exhibit "A"
7. After allowing all just credits, offsets, and payments, the amount of **one hundred twenty four thousand seven hundred ninety seven and 10/100 dollars (\$124,797.10)** remains unpaid and is due and owing to Claimant under said contract. Pursuant to the provisions of Article 16, Section 37 of the Texas Constitution, Claimant asserts a constitutional lien on said Property to secure payment of the above-referenced amount.

AFFIANT:
BBB Tank Services, Inc.

By:

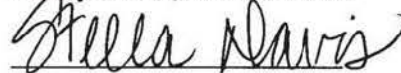

Jacob Swain, CFO
P. O. Box 3140
Houston, Texas 77253

THE STATE OF TEXAS §
COUNTY OF HARRIS §

BEFORE ME, the undersigned, a Notary Public, on this day personally appeared Jacob Swain, CFO of BBB Tank Services, Inc., known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed it for the purposes therein expressed, and in the capacity therein stated as the act and deed of such operation.

SUBSCRIBED AND SWORN TO before me on this 1 day of November, 2012.

Notary Public, State of Texas



AFTER RECORDING RETURN TO:

William E. Morfey
Zimmerman, Axelrad,
Meyer, Stern & Wise, P.C.
3040 Post Oak Boulevard, Suite 1300
Houston, Texas 77056
(713) 552-1234



*BBB Tank Services Inc.
162 Independence Parkway
Baytown, Tx 77520.*

**EXHIBIT "A" TO
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN
FROM
NATIONAL OIL RECOVERY CORPORATION ("GRANTOR")
TO
LAZARUS TEXAS REFINERY I, LLC ("GRANTEE")**

Tract 1

FIELDNOTE DESCRIPTION of a portion of Lots 4 and 5, Block O, Burton and Danforth Subdivision, as shown by map recorded in Volume 152, Page 1, Deed Records, San Patricio County, Texas, described as follows:

COMMENCING at the southeasterly corner of said Lot 4, being at the intersection of the centerline of Farm-to-Market Road 2725 with the centerline of a 40.00 foot public roadway between Blocks N and O of said subdivision;

THENCE, along the centerline of said 40.00 foot roadway and the southerly boundary of said Lot 4, N. 55° 23' 00" W, at 50.00 feet past the westerly right-of-way of said Farm-to-Market Road, in all 156.12 feet to the POINT OF BEGINNING of this tract;

THENCE, continuing along said centerline and boundary, N 55° 23' 00" W, 503.88 feet to the southwesterly corner of said Lot 5;

THENCE, along the westerly boundary of said Lot 5, N 34° 37' 00" E, at 20.00 feet past a 5/8 inch iron rod found on the northerly right-of-way of said 40.00 foot roadway, in all 685.00 feet to a brass monument in concrete found;

THENCE, S 55° 23' 00" E, 610.00 feet to a 5/8 inch iron rod set on the westerly right-of-way of said Farm-to-Market Road;

THENCE, along said westerly right-of-way, S 34° 37' 00" W, 501.25 feet to a 5/8 inch iron rod found;

THENCE, N 55° 23' 00" W, 106.12 feet to a 5/8 inch iron rod found;

THENCE, S 34° 37' 00" W, at 163.75 feet past a 5/8 inch iron rod found on the northerly right-of-way of said 40.00 foot roadway, in all 183.75 feet to the POINT OF BEGINNING.

CONTAINING 9.145 acres, more or less, of which 0.231 acre is in road right-of-way.

Tract 2

FIELD NOTE DESCRIPTION in all of Lots 1 and 2, and a portion of Lot 3, Block N, and a portion of Lots 1 and 2, Block M, and all of Lot 4, Block II, and a portion of Lot 4, Block JJ, Burton and Danforth Subdivision, as shown by map recorded in Volume 152, Page 1, Deed Records, San Patricio County, Texas, described as follows:

COMMENCING at the northwesterly corner of said Lot 3, Block N, being at the intersection of the centerline of Farm-to-Market Road 2725 with the centerline of a 40.00 foot roadway between Blocks N and O of said subdivision;

THENCE, along the centerline of said 40.00 foot roadway and the northerly boundary of said Lot 3, S 55°23' 00" E, 50.00 feet to the easterly right-of-way of said Farm-to-Market Road for the POINT OF BEGINNING of this tract;

THENCE, along said easterly right-of-way, S 34° 37' 00" W, at 20.00 feet past a 5/8 inch iron rod set on the southerly right-of-way of said 40.00 foot roadway, at 1300.00 feet past a 5/8 inch iron rod set on the northerly right-of-way of 40.00 foot roadway between Blocks M and N of said subdivision, in all 1320.00 feet to a 5/8 inch iron rod set on the southerly boundary of said Lot 3, Block N, being on the centerline of said 40.00 foot roadway;

THENCE, along said centerline and southerly boundary, S 55° 23' 00" E, 280.00 feet to a 5/8 inch iron rod set at the southeasterly corner of said Lot 3, Block N, being the northwesterly corner of Lot 2, Block M;

THENCE along the westerly boundary of said Lot 2, S 34° 37' 00" W, at 20.00 feet past the southerly right-of-way of said 40.00 foot roadway, in all 660.00 feet to a 5/8 inch iron rod set;

THENCE, S 55° 23' 00" E, at 630.00 feet past the westerly right-of-way of a 60.00 foot roadway between Blocks M and JJ, at 660.00 feet past the centerline of said roadway and boundary between said Blocks M and JJ, in all 690.00 feet to a 5/8 inch iron rod found on the easterly right-of-way of said 60.00 foot roadway;

THENCE, along said easterly right-of-way, N 34° 37' 00" E, 420.89 feet to a 5/8 inch iron rod found;

THENCE, S 57° 11' 36" E, 219.92 feet to a 5/8 inch iron rod found;

THENCE, N 36° 16' 05" E, 252.27 feet to a 5/8 inch iron rod found on the northerly right-of-way of a 40.00 foot roadway between Blocks JJ and II;

THENCE, along said northerly right-of-way, S 55° 23' 00" E, 72.92 feet to a 5/8 inch iron rod set on the boundary between Lots 3 and 4, Block II;

THENCE, along said boundary, N 34° 37' 00" E, at 1280.00 feet pass a 5/8 inch iron rod set on the southerly right-of-way of a 40.00 foot roadway between Blocks II and HH, in all 1300.00 feet to the centerline of said roadway, being the northeasterly corner of said Lot 3, Block II;

THENCE, along said centerline and the boundary between Blocks II and HH, and the boundary between Blocks N and O, N 55° 23' 00" W, 1270.00 feet to the POINT OF BEGINNING.

CONTAINING 50.113 acres, more or less, of which 4.070 acres is in road right-of-way.

Tract 3

Lots 1, 2, and 3, Block II, Burton and Danforth Subdivision, as shown by map recorded in Volume 152, Page 1, Deed Records, San Patricio County, Texas.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Gracie Alaniz-Gonzales

Gracie Alaniz-Gonzales, County Clerk
San Patricio Texas



November 02, 2012 11:49:57 AM

FEE: \$32.00
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